

REMARKS

The Office Action mailed August 8, 2002, has been received and its contents carefully noted.

In order to advance the prosecution, claims 1 and 7 have been amended to further point out the patentable invention. Additionally, claims 5, 6 and 11-13 have been canceled. A divisional application is being filed because of the Examiner's restriction requirement. Claims 1-4 and 7-10 are now pending in the application.

Claim Rejections - 35 USC § 102

The Examiner rejected claims 1-4 and 7-10 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,534,927 to Shishikui et al. ("Shishikui"). It is respectfully submitted that the present claimed invention is patentable over the art of record for the following reasons. Accordingly, reconsideration of the Examiner's rejection is requested.

Claims 1 and 7 are further amended to recite that a first buffer 10 temporarily stores the output main bit stream in unit of frame or field and also a second buffer 4 temporarily stores the output subsidiary bit stream in unit of frame or field.

The Examiner argues that FIG. 9 of Shishikui illustrates the concept of well known buffers 54-1 and 54-3 to temporarily store the main and subsidiary bit streams, respectively. This is an

incorrect argument because such a rejection arguing illustration of the concept of well known buffers is improper under 35 U.S.C. §102(b).

The signs 54-1 and 54-3 denote VLC which is a variable-length encoder. Variable-length encoders store or hold moving picture signals for encoding. This is different from buffers for storing encoded signals. The function of variable-length encoders is not storing but encoding.

For the Examiner to assert an illustration of a concept is improper under U.S. patent law. It is respectfully submitted that Shishikui does not teach that VLCs 54-1 and 54-3 store moving picture signals in unit of frame or field under 35 U.S.C. §102(b).

Moreover, Shishikui does not teach that the multiplexer 82 multiplexes the main and subsidiary bit streams temporarily stored in buffers in unit of frame or field so that the subsidiary bit streams are periodically inserted in the main bit streams in the vicinity of a predetermined number of the frames or fields coded by inter-picture coding under 35 U.S.C. §102(b).

Accordingly, further amended claims 1 and 7 and their dependent claims are not anticipated by Shishikui under 35 U.S.C. §102(b).

In view of the foregoing amendments and remarks, the Examiner is respectfully requested to reconsider and withdraw the


rejection of claims 1-4 and 7-10 to allow these claims and to find this application to be in allowable condition.

If the Examiner believes that a conference would be of value in expediting the prosecution of this application, the Examiner is invited to telephone the undersigned to arrange for such a conference.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

Respectfully submitted,

JACOBSON HOLMAN PLLC

By 
John C. Holman
Reg. No. 22,769

400 Seventh Street, N.W.
Washington, D.C. 20004-2201
(202) 638-6666

Date: October 31, 2002
Atty. Docket: 5970/P63212US0
JCH:DKD:clc

Version with markings to show changes made.

In the Claims:

Please cancel claims 5, 6 and 11-13 without prejudice or disclaimer, and amend claims 1 and 7, as follows:

1. (Four Times Amended) An apparatus for efficiently coding a moving picture signal, comprising:

a main coding processor to selectively encode an input moving picture signal by intra-picture coding or inter-picture coding in unit of frame or field output a main bit stream;

a first buffer to temporarily store the output main bit stream in unit of frame or field;

a subsidiary coding processor to encode motion-picture signal portions in specific frames or fields carried by the input moving picture signal by only intra-picture coding to output a subsidiary bit stream, the same motion-picture signal portions being also coded by the inter-picture coding by the main coding processor;

a second buffer to temporarily store the output subsidiary bit stream in unit of frame or field;

a multiplexer to receive the main bit stream temporarily stored in the first buffer and periodically receive the subsidiary bit stream [temporality] temporarily stored in the second buffer and multiplex the main and subsidiary bit streams

so that the subsidiary bit streams for which the motion-picture signal portions have been encoded only by the intra-picture coding by the subsidiary coding processor are periodically inserted in the main bit stream for which same motion-picture signal portions have also been encoded by the inter-picture coding by the main coding processor in the vicinity of a predetermined number of the frames or fields coded by the inter-picture coding, thus generating an output bit stream.

7. (Four Times Amended) A method of efficiently coding a moving picture signal, comprising the steps of:

selectively encoding an input moving picture signal by intra-picture coding or inter-picture coding in unit of frame or field to output a main bit stream;

temporarily storing the output main bit stream in a first buffer in unit of frame or field;

encoding motion-picture signal portions in specific frames or fields carried by the input moving picture signal by only intra-picture coding to output a subsidiary bit stream, the same motion-picture signal portions being also coded by the inter-picture coding by the selective encoding;

temporarily storing the output subsidiary bit stream in a second buffer in unit of frame or field;

receiving the main bit stream temporarily stored in the

first buffer and periodically receiving the subsidiary bit stream temporarily stored in the second buffer; and

 multiplexing the main and subsidiary bit streams so that the subsidiary bit streams for which the motion-picture signal portions have been encoded only by the intra-picture coding are periodically inserted in the main bit stream for which the same motion-picture signal portions have also been encoded by the inter-picture coding in the vicinity of a predetermined number of the frames or fields coded by the inter-picture coding, thus generating an output bit stream.